

**COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES
AND SUBSTANCE ABUSE SERVICES**

SPECIAL CALLED MEETING

April 3, 2002

Holiday Inn-North, Raleigh

Commission Members Present

Pender McElroy (Chair), Martha Martinat, Lois Batton, Dorothy Crawford, William Sims, Patricia Chamings, Floyd McCullouch, Fredrica Stell, Donald Stedman, Raymond Reddrick, Bernard Sullivan, Anna Scheyett, Ellen Holliman, Marvin Swartz, Emily Moore, Mansfield Elmore, Ken Gerrard and Bruce Whitaker

Commission Members Absent

Ann Suggs (excused), Martha Macon (excused), Joe Coulter (excused), Judy Lewis (excused), Lou Adkins (excused), Jeanne Fenner (unexcused), George Jones (unexcused) and Paul Gulley (unexcused)

Commission Staff Present (DMH/DD/SAS)

Dr. Richard Visingardi, Director for MH/DD/SAS
Tara Larson, Deputy Director for MH/DD/SAS
Marilyn Brothers, Hearing Officer, DMH/DD/SAS
Jill Newkirk, DMH/DD/SAS Staff
Susan Collins, DMH/DD/SAS Staff

OTHERS PRESENT

Mary Fraiser (Legislative Oversight Committee), Joan Kaye (MH/DD/SAS), Joe Donovan (NAMI), Mary Eldridge (MH/DD/SAS), Bob Kurtz (MH/DD/SAS), Jim Jarrard (MH/DD/SAS), Glenda Stokes (Edgecombe-Nash), Kevin Oliver (Mecklenburg), Robert Hedrick (Providers Council), Bill Duffy, (Success, Inc.), Barbara Dennis (Mecklenburg), Doug Baker (MH/DD/SAS), Tom Bainbridge (HSSE), Ann Rodriguez (NC Council), Carol D. Clayton (NC Council), Robert Beasley (Youth Opportunities), Burt Bennett (MH/DD/SAS) and Janet Schanzenbach (NC Council)

Call to Order

Pender McElroy, Chairman of the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services, called the meeting to order at 10:05 am. All attendees introduced themselves. Mr. McElroy stated that the purpose of this called meeting was to consider the changes to the Seclusion and Restraint Rules suggested by the Rules Review Commission (RRC). The RRC has suggested technical changes to the language of the rules submitted. If the Commission approves the changes before the RRC April meeting, the rules can become effective in August 2002. If the changes are

approved at the May Commission meeting, the changes would not become effective until 2003.

Memorial Resolution

Dr. Donald Stedman read a resolution in memory of Dr. Ann Marie F. Wolfe, who recently passed away as follows:

Resolution – In Memoriam – Ann Marie F. Wolfe

Whereas, Ann Wolfe, advocate, physician, mother champion for children, and special friend of persons with mental retardation and development disabilities, was a long-time servant to the families and children of North Carolina.

Whereas, Ann Wolfe, colleague and teacher, and tireless worker for a better world for children with special needs, was a skillful planner, administrator, and provider of services for families and children in North Carolina.

And Whereas, Ann Wolfe was a strong support of the North Carolina Commission of Mental Health, Developmental Disabilities and Substance Abuse Services and constantly urged that the Commission be strengthened and encouraged as a vital link between the executive, legislative, and judicial branches of state government in our state, and a source of strength from which all advocates can draw.

Now, here let us resolve that the members of the North Carolina Commission on Mental Health, Developmental Disabilities and Substance Abuse Services, by this Resolution and action do remember and applaud her work and recognize the great loss we suffer at her death on March 12, 2002. Further, the Commission extends its sorrow and regrets to Dr. Wolfe's family for their great loss and for ours as well

Dr. Steadman moved that the Commission adopt this resolution. Floyd McCullough seconded. The Commission members unanimously approved adoption of this resolution.

Seclusion/Restraints Rules

The Rules Review Commission (RRC) at its March 2002 meeting reviewed those parts of the seclusion/restraints rules that were filed in October 2001. All of the remaining rules have been filed and they will be reviewed at the RRC April 2002 meeting.

The Secretary has divided the new rules and the rule amendments adopted by the Commission pursuant to legislation by the General Assembly into three categories: (1) Those rules/amendments having minimal fiscal impact; (2) those rules having fiscal impact but, in the opinion of the Secretary, required under the legislation; and (3) those rules having fiscal impact but, in the opinion of the Secretary, not required by the legislation.

Tara Larson reviewed the RRC objections and the recommended changes. The Commission made the following changes to the Seclusion and Restraint Rules.

Following are the revisions that were recommended:

14J.0201

(a) Each facility shall provide services/supports that promote a respectful **and safe** environment.

14R.0101

(a) Each facility shall provide services/supports that promote a respectful **and safe** environment.

14V.6002

(2) has a ~~baccalaureate~~ **bachelor's** degree in a ~~related~~ human service field and four years of management or supervisory experience in inpatient mental health services;

14P.0102

27 (17) "~~Neuroleptic~~ **Antipsychotic** medication" means the category of psychotropic drugs which is used to treat schizophrenia and related disorders. Examples of ~~neuroleptic~~ **antipsychotic** medications are Chlorpromazine, Thioridazine and Haloperidol.

Neuroleptic will be replaced with Antipsychotic throughout the Seclusion and Restraints Rules.

Floyd McCullouch made a motion to adopt all the recommended changes and resubmit these rules to the Rules Review Commission. Pat Chamings seconded. The Commission members unanimously approved the recommended changes on the Seclusion and Restraint Rules.

The Commission offers its congratulations to Tara Larson on her new position as the Deputy Director for MH/DD/SAS.

The next Commission meeting is scheduled for May 13, 2002 at the Holiday Inn-North.

By unanimous consent the meeting was adjourned.

Minutes prepared by Jill Newkirk, Division Staff.

Minutes approved by Pender McElroy.